

2664

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventor(s):

Takashi KITADE

Art Unit: 2664

Application No.:

09/693,839

Filed:

October 23, 2000

For:

APPARATUS AND METHOD FOR TDMA-TDD BASED

TRANSMISSION/RECEPTION

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of an European Office Action dated August 13, 2004) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Date: November 15, 2004

James E. Ledbetter

Registration No. 28,732

JEL/spp

ATTORNEY DOCKET NO. <u>L9289.00106</u> STEVENS, DAVIS, MILLER & MOSHER, L.L.P. 1615 L STREET, NW, Suite 850 P.O. Box 34387

WASHINGTON, DC 20043-4387 TELEPHONE: (202) 785-0100 FACSIMILE: (202) 408-5200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor(s): Takashi KITADE

Art Unit: 2664

Application No.:

09/693,839

Filed:

October 23, 2000

For:

APPARATUS AND METHOD FOR TDMA-TDD BASED

TRANSMISSION/RECEPTION

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449.

EP '751 was cited in an European Office Action dated August 13, 2004 (copy attached). US '955 is already of record (IDS filed December 12, 2002).

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see <u>Beckman Instruments</u>, <u>Inc. v. Chemtronics</u>, <u>Inc.</u>, 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: November 15, 2004

Facsimile: (202) 408-5200

James E. Ledbetter Registration No. 28,732

JEL/spp

ATTORNEY DOCKET NO. <u>L9289.00106</u>
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L STREET, NW, Suite 850
WASHINGTON, DC 20043-4387
Telephone: (202) 785-0100

1

FORM PTO-1449 U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office									ATTY. DOCKET NO. L9289.00106			SERIAL NO. 09/693,839			
'OSTATEMENT BY APPLICANT									APPLICANT Takashi KITADE						
NOV 1 5 2004	ျှေ (Use	(Use several sheets if necessary)							FILING DATE			GROUP			
C.								Octob	October 23 , 2000			2661			
Ol Minds							U.S. F	PATENT DO	CUMENTS						
FXAMINER .		DOCUMENT NUMBER							DATE NAME		SUBCLASS	IF APPROPRIATE			
							ļ								
			ļ	ļ	<u> </u>	ļ	ļ								
		ļ	ļ		ļ	ļ	_								
		<u> </u>	ļ		ļ										
		ļ	ļ		<u> </u>		-								
							ļ								
							ļ					_			
		ļ			<u> </u>		_								
								<u> </u>							
						FORE	IGN F	PATENT DO	CUMENTS						
		DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO			
	0	9	3	6	7	5	1	08/1999	EP			123	100		
												-			
		ОТНЕ	ER DO	CUM	ENTS	S (Inc	luding	Author, Ti	tle, Date, Pertin	ent Pag	es, Etc.)				
	Eu							ıst 13, 2004							
			<u>-</u> .									<u>-</u>			
						_	-								

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.